

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WASHINGTON MUTUAL BANK,)	Case No. 1:07 CV 683
)	
Plaintiff,)	
)	
vs.)	JUDGEMENT ENTRY
PATRICIA CHIAPPETTA, et al.,)	
)	
Defendants.)	Magistrate Judge James S. Gallas
)	

For the foregoing reasons expressed in the concomitant memorandum opinion, Washington Mutual Bank's motion for partial summary judgment under Rule 56 of the Federal Procedure is granted (ECF #34) and Infinity Construction Co., Inc.'s motion for summary judgment on its cross-claim is denied (ECF # 36) with Washington Mutual having first priority to the proceeds of sale after the satisfaction of any outstanding real property tax lien on the subject property located at 25608 Chardon Road, Richmond Heights, Ohio 44131, and that this property be sold by way of foreclosure sale.

IT IS SO ORDERED.

s/James S. Gallas

United States Magistrate Judge

September 19, 2008